

Report of the Kansas Commissioner  
2020 Big Blue River Compact Meeting

May 13, 2020

Hosted by Kansas via remote conference due to the COVID 19 pandemic

**Kansas Legislature:**

The Kansas Legislature is still technically in session. Because of the COVID 19 pandemic, they have not met for several weeks, but have just recently begun to slowly reconvene as committees. This year, the Legislature considered several water-related topics. The past several Legislatures have worked to clarify and improve some of our most popular and effective water management tools. This year, some minor modifications were made to the multi-year flex account (MYFA) tool. Former Chair of the Kansas House of Representatives' Agriculture and Natural Resources Committee, Sharon Schwartz, who is also the Kansas advisory Member of the Compact Administration, will give a report on Legislative issues after my report.

As in most other states, because of the coronavirus pandemic, budget issues loom larger than ever this year. Kansas's budget was looking strong when the Legislature convened in January. Things have changed a bit since then. A recent projection by the state's Consensus Revenue Estimating Group forecasted that the economic fallout from the coronavirus will reduce the state budget by over \$1.2 billion from what was forecasted just a few months ago. The group estimates that Kansas's economy will not return to 2019 levels until sometime after 2022.

**Statewide Water Conservation:**

Kansas's Northwest Groundwater Management District (GMD) #4 continues to be a model of local leadership. GMD #4 helped create the local enhanced management area (LEMA) tool and, so far, contains the only two LEMAs in the state. Recent analysis by the Kansas Department of Agriculture, Division of Water Resources (KDA-DWR) shows that both the Sheridan County 6 (SD-6) LEMA and the GMD #4 District-Wide LEMA are changing irrigators' behaviors and saving significant quantities of water. Recently, the GMD #4 board directed its manager to develop a master irrigator program similar to ones in Texas and Colorado, in which irrigator peers will share best practices to maximize irrigation management and conservation practices that work together to save water, conserve energy, build soil health and enhance farm profitability.

In Western Kansas GMD #1, the board recently submitted a formal request to begin a LEMA proceeding for Wichita County. Their proposed LEMA plan includes all appropriation rights and would save somewhere between 15%-21% of recent historical water use, depending on the level of voluntary participation by owners of vested water rights. This action is desperately needed in the area, where the saturated thickness of the aquifer has dwindled to around 20 feet. The LEMA process requires two hearings, which we have not yet been able to schedule because of the restriction on gatherings during the pandemic.

We continue developing and refining methods to determine if our water management tools (LEMAs, WCAs, MYFAs) are working as intended. The technique we have been developing for the last couple of years evaluates changes in irrigation behavior by establishing a relationship between seasonal precipitation and irrigation application, using that relationship to predict future behavior, and then observing whether implementing the management tool caused a change in behavior. Using this technique, we have observed that water use by irrigators in GMD #4's SD-6 LEMA was 30% less on average over 2013-2018 than the water use predicted over that time. Similarly, water use across the GMD #4 District-Wide LEMA, which started in 2018, was over 30% less than predicted (a savings of 120,000 acre-feet) in 2019 alone. This year, we also took our first comprehensive look at the MYFA since that tool's conservation requirement was removed in 2012. The MYFA tool allows a water right operator to manage their water over a 5-year period instead of year-by-year. Our evaluation was provided to the Legislature this year and showed that the MYFA has not expanded use.

We have also seen continued interest in and success from the water conservation area (WCA), a tool that allows a water right owner or a group of owners to enter into an agreement with the Chief Engineer of KDA-DWR to commit to a certain level of water conservation in exchange for flexibility in use of their water rights. As of last week, we have 53 WCAs covering over 86,000 acres with an estimated annual savings of about 12,000 acre-feet per year.

Kansas also has 15 water technology farms where industry, academia, and producers partner to test innovations in irrigation technology on real farms and provide invaluable real-world experience to show their neighbors and peers how to optimize the use of water to plan for a profitable but more sustainable future.

We are encouraged by the success of these management tools, and we are working hard to increase their adoption, improve our understanding of their performance, and increase their effectiveness.

#### **Changes to the Kansas Delegation:**

On February 29, 2020, Kansas Chief Engineer David Barfield retired after 35 years of state service including 12 years as Chief Engineer and ex officio Member of the Kansas-Nebraska Big Blue River Compact. Kansas will offer a resolution honoring Mr. Barfield's service to the Compact later in today's meeting.

On March 2, 2020, I was appointed Acting Chief Engineer and am honored to serve the Compact Administration as Kansas ex officio Member until a permanent appointment is made for the position.

I currently serve as Secretary to the Administration. At the appropriate time in today's agenda, I will nominate Elizabeth Hickman of my staff to replace me in serving as Secretary to the Administration.